

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Daniel Estrada-Lopez,	:	
	:	
Petitioner(s),	:	
	:	Case Number: 1:13cv600
vs.	:	
	:	Chief Judge Susan J. Dlott
George Crutchfield, Warden Warren	:	
Correctional Institution,	:	
	:	
Respondent(s)	:	

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Michael R. Merz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on September 16, 2014 a Report and Recommendations (Doc. 14). Subsequently, the petitioner filed objections to such Report and Recommendation (Doc. 15).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, the petition is **DISMISSED** with prejudice. Because of the uncertain state of the law in applying *Melendez-Diaz*, petitioner is granted a certificate of appealability and allowed to appeal *in forma pauperis*.

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court